

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

WILLI FREE GARNER §
VS. § CIVIL ACTION NO. 9:14cv169
DIRECTOR, TDCJ-CID §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Willi Free Garner, proceeding *pro se*, filed the above-styled petition for writ of habeas corpus. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the petition. The Magistrate Judge recommends that petitioner's motion to dismiss (doc. no. 8) be granted and this petition be dismissed pursuant to Federal Rule of Civil Procedure 41(a).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections to the Report and Recommendation were filed by the parties.

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. Petitioner's motion to dismiss is **GRANTED**. A final judgment shall be entered dismissing the petition.

SIGNED this 19th day of November, 2015.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE